

September 17, 2021

**VIA ECF**

The motion to seal is GRANTED temporarily. The Court will assess whether to keep the materials at issue sealed or redacted when deciding the underlying motion. The Clerk of Court is directed to terminate ECF No. 723.

SO ORDERED.

Hon. Jesse Furman  
United States District Court  
Southern District of New York  
40 Centre Street, Room 2202  
New York, NY 10007



September 20, 2021

Re: *City of Providence, et al. v. BATS Global Markets, Inc., et al.*, No. 14-cv-02811

Dear Judge Furman:

We write pursuant to Section 6 of the Court's Electronic Case Filing Rules & Instructions and Your Honor's Individual Rules of Practice to respectfully seek leave to file under seal certain materials (the "Protected Materials") in connection with the Reply Memorandum of Law in support of Motion for Summary Judgment on Grounds of Lack of Article III Standing (the "Reply") filed by Defendants New York Stock Exchange, LLC, NYSE Arca, Inc., Chicago Stock Exchange, Inc. (N/K/A NYSE Chicago, Inc.), BATS Global Markets, Inc. (N/K/A Cboe Bats, LLC), and Direct Edge ECN, LLC (collectively, "Defendants") and to redact from their public filings the Protected Materials and references thereto. Defendants' papers will be filed later today, September 17, 2021.

The Protected Materials are the Reply, exhibits attached to the Declaration of Douglas W. Henkin in support of the Reply, and the accompanying Response to Plaintiffs' Statement of Additional Material Facts Pursuant to Local Rule 56.1. These Protected Materials consist of documents, deposition transcripts and expert reports designated by Plaintiffs or Defendants as "Confidential" or "Highly Confidential" under the Protective Order (ECF No. 402).

Accordingly, Defendants respectfully request leave to file the Protected Materials under seal and to redact the corresponding references the Reply.

Respectfully submitted,

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